

Minutes of the Health and Human Services Board Meeting

Thursday, April 30, 2009

Board Members Present: Citizen Members Dennis Farrell, (Chair), Flor Gonzalez, Mike O'Brien, Dr. Peter Geiss, Joe Vitale, County Board Supervisors Duane Paulson, Janel Brandtjen, Jim Jeskewitz. **Absent:** JoAnn Weidmann and Paul Decker.

Others Present: Health and Human Services Director Peter Schuler, Health and Human Services Deputy Director Don Maurer, Public Health Manager Dr. Nancy Healy Haney, Intake and Support Services Division Manager Antwayne Robertson, Adolescent and Family Services Manager Peter Slesar, Legislative Policy Advisor Ann Olson, Executive Assistant Julianne Klimetz and Dr. Marshall Jennison.

The meeting was called to order at 1:04 p.m.

Pledge of Allegiance

Public Health Update

Dr. Healy Haney distributed a document giving an overview of the swine flu. Public Health immediately formed a taskforce which is made up of a cross section of the community including Police, Fire, Public Health and others and will continue to grow. Two probable cases in Milwaukee have been identified by the State Lab as the H1N1 virus, but is being sent to the CDC for official confirmation. There is also a probable case in Adams County. We more than likely have a positive case in our county, but we haven't yet discovered it. When there is a Public Health emergency the commander is the Health Officer which is Peter Schuler. Dr. Healy Haney reviewed the organizational chart and went over the names of those people involved and their duties within the structure. There are taskforce meetings every day at 1:00. Public Health did receive their first suspect case last Saturday. At that time they sent a blast fax with clinical directions to physicians, infection control practitioners, and to outpatient clinics. They have the means to blast fax any kind of treatment, testing, and safety procedures. Julianne Klimetz has been identified as our Public Information Officer – making sure the community has the correct information. There are 25 tests at the State Lab of Hygiene. Larry Barthen is the liaison between the community and Public Health. We are assuming FEMA will be reimbursing us for this outbreak. We need to make sure we are keeping track of all hours spent on this outbreak to send to FEMA. A major issue that is being addressed for protection of our staff and consultation to the police and fire departments, is the N95 Fit tested masks. All healthcare people who are dealing directly with individuals with the flu have to wear the N95 masks in order to be protected. If they start doing swabs, they will be wearing full protection, i.e. masks, goggles, gowns, gloves. Dr. Healy passed around a N95 mask and a surgical mask which are being presently used. They are also fit testing additional staff. The Sheriff's Dept., municipal police and fire are contacting Public Health regarding protection. Public Health will not be able to fit test everyone. The CDC is shipping Tamiflu and Relenza to the City of Milwaukee and to states where Swine Flu has already been identified. Julianne stated there is a new note that will be going out to parents today, a more indepth letter and clearer than the original one that went out yesterday. She has been in touch with all municipalities, PIO's, police departments, fire

departments to make sure everyone's information is correct. The FDA had issued an emergency authorization for the use of Tamiflu and Relenza, which means that physicians can prescribe for children under 1 year of age.

In speaking of testing one of the huge concerns is that we have many undocumented individuals in our county who are not insured. Dr. Healy Haney started to investigate health care providers and they are not prepared to handle this population. It is likely that Public Health will be doing the testing for this population group. Public Health is finding out what the air exchange is in their building and making sure their staff are protected. The challenge is that if we do make the testing available, there is a shortage of the kits and secondly they may not be able to do the testing in the Public Health building because they don't want to co-mingle people who may have the flu with those that are coming in for other services. We may need to get a tent. If they do identify an undocumented person they can get treatment. Her understanding, which is not yet clarified, is that Forward Health might make health care available to this population. Dr. Geiss asked if Dr. Healy Haney has contacted the free clinics. She has contacted them and there are a lot of issues, but Dr. Geiss stated that there is not a problem with testing and treating, but that clients will walk in without notifying staff first. He appreciates the fact that people are not being directed to the ER, but to call ahead to their personal physician's office and let them know so that the office is prepared when a sick individual comes in. They will provide them with a mask and take them directly to a room away from the public. Dr. Geiss stated that early on there will be shortages of Tamiflu and Relenza because pharmacies are going to start to run out. Dr. Geiss wanted to know how the county was going to release their supply. Dr. Healy Haney stated that we do not have a stockpile of antivirals and that is going to be released from Atlanta. There is a teleconference this afternoon with the Milwaukee/Waukesha Consortium and it is a good question to raise to them. She understands that the City of Milwaukee is getting antivirals from the national stockpile. Dr. Geiss said the concern will be when private physicians are writing out prescriptions for these medications and the pharmacies run out, people will have to know where they can get this medication. These are issues that Public Health is working on. The 1918 pandemic is believed to have actually started in 1896 as a relatively mild disease. It died out and then resurfaced again out of a military base in the United States, but it mutated and it became more virulent. We don't know if we're headed in that direction or maybe it was more virulent in Mexico because there is more mortality there and hopefully it is weakening. It is too early to really know what we are dealing with. They will get on top of the anti-virals as the community is going to need these. Brandtjen stated that in the letter going home from the schools, can we bold the fact that people should contact their child's physician first.

Farrell asked Dr. Healy Haney what task does she want the Human Services Board to perform. She said they have a policy issue that needs to be solved. She received a call from La Casa de Esperanza who is having 600 people attend a Cinco de Mayo celebration next Tuesday. They want to know if they should cancel this event. The City of Milwaukee has closed schools already. Dr. Healy stated they didn't do this in 1918 and a lot of people died. They asked for her professional opinion, and she said she would take it to the Human Services Board. Dr. Healy Haney doesn't make policy and is leaving this decision up to the Board. It is her opinion that we will see the disease in our community very soon and on the side of precaution LaCasa should cancel their event. Farrell asked if we can do this legally and the answer is yes. Schuler said we cannot go into a closed session because we didn't have it agendaized that way. If the Board did

make a decision it would have to be advisory because of the way it is agendized. We could reconvene again to make it official and we could do a closed session. We had no idea when we modified this agenda that this would be a topic of conversation. We could call a meeting on an emergency basis and they do have the right to go into closed session for confidentiality, we just don't know yet if we have to meet in person or if this could be done over the phone.

Vitale asked if this policy is going to be aimed strictly at LaCasa because they asked us the question, or is this policy going to be broad based that says that any functions of a larger scale be cancelled? Paulson asked if this is going to only be advisory and Schuler stated that he, as the Health Officer, can issue an order to prohibit an agency from having any functions of a large scale. Schuler stated that in order to cancel a function or gathering you would have to have good reasons and have to be able to enforce the order. It is probably much easier with a local organization rather than something that is sponsored by an outside organization not located in the State. The Sheriff's Dept. would have to assist us in enforcing these orders. Vitale asked what is the time frame necessary for this body to reconvene to potentially go beyond advisory and make definitive statements. Schuler stated it must be posted for 24 hours. Paulson commended LaCasa for making the suggestion to cancel their function

Jeskewitz noted that last year in the United States 36,000 died from complications of the seasonal flu. He is asking if a portion of those with Swine Flu will be considered as part of a seasonal flu. Dr. Geiss stated that the tests we are doing will tell us if it is Influenza A, but then the tests have to go to the State who can differentiate it from seasonal flu or Swine flu. It is possible that some flu earlier this year could have been Swine flu.

Vitale asked if Schuler would prefer that this body vote now to give him advisory or reconvene and make it definitive. Schuler stated advisory because the statutes give the health officer authority to carry out orders, but the health board should be involved. If we have an immediate case that can be connected to any large scale group, there's no question that we will do whatever is necessary to limit the spread of this disease, which would be to close a business or cancel an event. Peter would then be in a position to advise LaCasa to not have this gathering, but LaCasa can say to you "no" we're going to do it anyway. However, we can still say they can't hold their event because of the possibility of the spread of disease. We would then have to issue a Health Officer order of closure.

Maurer stated that he just had a conversation with Jesus Mireles and he indicates from the conversations he's had it is his understanding that these types of conversations are occurring within the Latino community and the organizers in the Latino community evaluating whether they want to go forward or not. No decisions have been made, but Milwaukee and other areas have been talking about Cinco de Mayo celebrations and Jessie will let us know if he hears anything further. What the Board has done is affirmed Peter's ability to go forward and your support for him. Organizers of events can post things, make them available to people, they can do their own advisories that are also prophylactic in many ways.

MOTION: Paulson made a motion seconded by Vitale to give the Health Officer the authority to proceed with any order to cancel functions or large gatherings without any further contact with the board to do so. The motion was voted on and passed 8-0.

Paulson asked if everyone put their cell phone and home phone numbers on a list being passed around in the event we need to reach you in an emergency.

Dr. Healy Haney stated that if we can a positive case in our community, the Catholic Church has two forms of the Eucharist and one is the drinking of wine from a common cup. If a virus is circulating in a community, we should issue an advisory to churches that they should suspend that practice. Schuler stated maybe we could talk to the Archdiocese, but Julianne stated that churches besides Catholic also have the same practice. As a result all churches should be notified of this practice.

MOTION: Janel made a motion seconded by Gonzalez, based on the recommendation of Public Health, all churches be advised to refrain from passing wine drunk out of a common cup. The motion was voted on and passed 7-0. Farrell abstained.

Review Public Hearing Input and Written Input to the Department

Everyone received a packet containing a summary of the public hearing and copies of letters received. Maurer reviewed the process that has been used in the past. First there is a summary of the public hearing input that Antwayne has put together. There are also letters received on topics not always discussed at the public hearing. What the Board has done in the past is discuss the entire compilation of information you have in front of you along with the advisory committee recommendations. In some years the Board has rated the advisory committee recommendations and some years there were categories. After these are reviewed and prioritized, Farrell writes a letter to the County Executive in preparation of our luncheon meeting and includes the prioritized Advisory Committee list and areas that the Board would like to discuss with him at the luncheon meeting. At the luncheon meeting, we have our discussion with the County Executive to advise him of the areas the Board would like him to consider and direct the staff to consider as we start preparing the budget.

Antwayne Robertson gave an overview of the public hearing and the information he was able to compile. In the packets there is a "Summary of the Public Hearing, Minutes from the Public Hearing, and also letters of support. Antwayne would like to identify those letters that he received from various agencies that he received by mail and are not noted on the summary page. These agencies were Family Services of Waukesha, Hannah Homes and Health Care, Productive Living Systems. The key areas were Respite Care, AODA or mental health services, peer support, continuing funding for prevention and intervention services, supervised visitation, and court ordered intervention. We had more participation this year, we had 50 citizens who signed in, a number of speakers, a group from the Spring City Club House and most agencies were represented. Brandtjen referenced one letter regarding the Family Support Program. Maurer stated that Jessie Mireles and his staff are working to get more match dollars. He's also working with Russ Kutz to look at having more staff in order to draw down more dollars.

Schuler also spoke briefly about the family having issues with Family Care or the delivery of services through the new care management organizations. One woman's son had been denied services he previously received and she is following the appeal process. This Board's role is not to act as an oversight for Family Care. The ADRC Board has the role of input to the State having to do with the ongoing administration and services for the population that the ADRC

serves. We are in a position where we will be hearing from people and board members and supervisors may be hearing from constituents who are unhappy with the eligibility determination and services received. We may need to think of ways to deal with this and it would probably involve discussion with the ADRC Board. The ADRC's role is to do eligibility determination and functional screening and financial eligibility and then refer to the Family Care organization who then has the responsibility of meeting with the individual and assessing their needs. They also have the ability to re-do the functional screen and determine if they are eligible or not, but then they have the job of the case plan, providing case management and determine what services are appropriate. They choose the providers, they pay the providers, they manage the system and they are accountable to the State and they have the client appeal process. Maurer sat on the advisory committee for Community Care (the Milwaukee based MCO) and they went through at a recent meeting the appeal process, but they basically have three internal appeals, first with the worker, second with the supervisor, third an upper administrative group within the MCO who hears that level of appeal. Ultimately, if not satisfied, an individual does have the option of going to the State. Maurer stated that some of the things that are occurring with Family Care, a lot of counties because of our funding we had waiver services, but we also had some local levy options that we could if someone needed something that wasn't covered by the waiver, we could direct some levy into that area if it was enough to shore them up a little bit of money for this and that to enhance the case plan. However, under Family Care all of the MCO's start out they really wanted to keep the case plans for one year as it was. However, within four or five months of starting Family Care, they realized they were hurting financially, partially because they were funding things that the Feds were saying they can't fund so they wouldn't reimburse them. The MCO's did have to go back and say we can't keep those case plans going for a year, they had to start re-evaluating those case plans sooner and decide levels of service. As a result there are some reactions because of this, but if you were someone on the wait list, you're not hearing these discussions because they are glad they finally got off the wait list. For people who were funded by the various counties across the State, they are all hearing this.

Review Advisory Committee Recommendation Work Pages

Farrell stated that at this time we will rate the Advisory Committee 2010 Budget Recommendations. He reviewed all the issues on the document. After reading issue "A" which would require anywhere from \$900,000 to \$2,900,000 just to keep our existing levels of services, Farrell is suggesting that the board consider the idea of raising our sales tax to the level of other counties around the state. This would bring in around \$30,000,000, of which part could relieve some of the property tax and part to fund some of these services. One of these days this is going to have to be addressed, maybe not at this time, but at some time in the future. Schuler stated that this \$900,000 to \$2,900,000 is due to the loss of state funding. This amount is the cost to continue services at the same level as 2009 and assuming there would be some pay increases for county employees of a modest nature and some purchase increases because some of our contract agencies are in a position that if we do not provide them some increase, they may not provide that service to us any longer. The last time we had to find a new provider it cost 27% more. Maurer stated that the \$900,000 figure would be if the state did not pass the budget as the governor is proposing. The governor's budget is proposing another \$500,000 hit to us because we would take over what currently is being paid for by medical assistance. We would have to take over the state share.

Farrell continued with the remainder of the recommendations on the list. Regarding “H” which is supporting goals and programs of the CJCC including the Alcohol Treatment Court and the Day Report Center, Schuler pointed out that if the County Executive gave the same or greater target to its budget, then with the new client fees that we’re just passed by the Board, we should be able to maintain the Alcohol Treatment Court and Day Reporting.

Paulson stated the three things that have to be done is maintain Level II for Public Health, provide cost of living adjustments to residential providers of citizens who are chronically mentally ill and support programs that will keep clients out of the deep end costs. Paulson asked about “D” and why it cost \$20,000 for the peer support program. Schuler explained that peer support specialists are at the Clubhouse, Friendships Unlimited and the Mental Health Association. Those agencies have been the sponsors and we have been able to give them money to send people to training and get them through their certification. The trained individuals earn \$7.00/hr., so it is a combination of training and sub-minimum wage they earn being in those positions of peer support specialist.

Vitale asked for clarification of the \$900,000 to \$2,900,000, is that what it would take to maintain services at the present level? Maurer stated to not fall backward with any present services, but does not include any additional services from “B” on. Vitale also asked if there are any state mandates that are less important than what advisory committees are recommending. If we chose not to do one of the State mandates, what would the repercussions be? Schuler responded by saying that the State legislators have asked what state mandates or new requirements would we like to see them get rid of or reduce. If you were to read over the memo series that comes from the State, every week there is something new to do or some standard of practice to live up to, or something they think they are passing along from the federal government with all sorts of interpretations added in by the State. There are no specific services that we can actually move ourselves out of that I know of. We’ve had a couple we discussed, one in the Juvenile area which we turned back a dozen times which would be our not paying any attention to truancy. For three reasons that would be the wrong thing to do. Truancy is the tip of the iceberg of problems with juveniles especially adolescents because there’s a lot more to it than not going to school. Who wants to tell the community that we don’t care if people get their education or not. Truancy is so tied into other problems that we are dealing with adolescents and their families. We’ve had a great deal of trouble finding another mandate we could get out of. If we stop intervention services, people will go into the deep end. Vitale stated that if we do not prevent – where does the money come from in the long run. The way that funding stream works these days is that we receive an allocation of money and we have to tell the state that we think we’re going to spend “x” amount of dollars for the correctional institutions and the rest of the money will be spent on community services. If we have to spend more at the correctional institution than we had anticipated, we (the county) has to pay any amount over what the state allocated to be spent in the correctional institutions out of our community programs. Maurer stated there are counties that hit the point where they spent all of their dollars including the funding for the community programs. One year a particular county was over \$3,000,000 because of all the placements they had that year, ultimately the county had to find the dollars. Vitale asked if \$900,000 is the absolute minimum, what are we really looking at realistically. Schuler responded by saying that the last few years our levy has been pretty steady and some small additions have been made at the end. Given the county’s situation and the tax capping situation,

we don't expect our levy will be much above that even if the County Executive would like to make it above that, but we don't know how much further, if at all, they can go. We presume we're going to get the same as last year, never more. In dollars and cents it would be about \$600,000. Vitale said then that in plain English, not only are we not going to be able to maintain we will be making more cuts. Maurer stated that in discussion with other departments their revenue is down. The real estate transfer fees are running very low. In the current year budget, we've already put down a soft position freeze and we know what 2010 is looking like and we know we're going to have a problem meeting our 2009 budget so we've already asked for other reductions as well. Youth Aids has a lot to do with what the Judge does in Juvenile Court. If that judge puts a lot of kids in jail, that could cost us a lot of money according to Paulson. Schuler stated that one of the complications of Family Care is that next year will be our highest payment to support the transfer of Family Care to the State. In about three years from now, we will get some of the state money back to us, if they don't change the legislation before that.

Janel asked for clarification of the "lettered" issues on the budget recommendation form. Item "A" does not include C, D, E, G, or I. It only covers items B and F. She also asked Paulson if putting the sale tax issue out on the table is even a possibility. Paulson answered by saying that in the last 11 years that he's been on the board, the occasion has come up, but no one has ever come forward. Ann Olson stated that counties who have passed an additional sales tax, on average about 30% of the revenue comes from people in other counties. By way of comparison if you were to institute an additional tax and proportionately lowered property tax, the replaced revenue that could come from the ½ % sales tax, it would allow you to gather revenue from people outside the county to pay for things within the county. On the other hand, if this should be a matter considered by the County Board and passed, the County Executive also needs to sign and if the Executive doesn't sign, then the Board can override his decision. She does not advocate for or against a sales tax, but these are just some of the logistics. Farrell stated that if the sales tax issue is not brought up, we should consider it in the future, but it would have to coincide with the reduction in property tax. Olson also stated that the maximum amount of levy we could raise with a 3% cap would still not be sufficient to reach the amount of issue A and that would also mean that no other levy would go to any other department.

After some discussion, members decided to list Issue A as the number 1 overall priority and leave it as a statement by itself on the top of the list and as the overriding issue above all others. The remaining issues will be prioritized from number 1 through number 8. Maurer tallied the votes on the board based on the prioritized number given by each individual member. Those numbers were tallied and the list was prioritized based on the numbers.

"A" will be listed as the overriding overall issue followed by the other issues on the list. Item F is #1, Item C is #2, Item B is #3, Item E is #4, Item D is #5, Item H is #6, Item G is #7 and Item I is #8

Approval of Minutes of 12-4-08

MOTION: Jeskewitz made a motion seconded by Vitale to approve the minutes of 12-4-08. The motion was voted on and passed 7-0.

Approval of Minutes of 4-16-09

MOTION: Paulson made a motion seconded by Jeskewitz to approve the minutes of 4-16-09. The motion was voted on and passed 7-0.

Announcements

Paulson reminded everyone to turn in their lunch menu to Kathy Leach for next Thursday's luncheon with the County Executive.

Paulson also announced that Paul Decker was appointed to the Health and Human Services Board.

Meeting Approvals

MOTION: Vitale made a motion seconded by Brandtjen to change the name of the Family Support Advisory Committee to the Special Services Advisory Committee. The motion was voted on and passed 7-0.

MOTION: Brandtjen made a motion seconded by Paulson to appoint Dennis Farrell as board liaison for the Special Services Advisory Committee. The motion was voted on and passed 7-0.

Future Agenda Items

Schuler stated that it has been awhile since the board heard an update on our Information Systems project and we should do that because of the capital budget reviews. In 2010 funds will go into a capital project for replacement of this building. Schuler also suggested a Criminal Justice Collaborating Council update especially because of some funding issues affecting the AODA program in the jail. Paulson asked for an update on Environmental Health and Schuler has asked Steve Korthof to prepare a series of subjects having to do with food safety, water safety, septic safety.

Kathy Leach will send out the shadowing experiences document in the event any board member wants to participate in any one of the activities.

Schuler thanked Don Maurer for his job working with the legislators, WCHSA, our lobbying efforts, and pointed out that is the front for other counties in terms of what we're going to say, what we need to be on top of, what's happening in the financial area of human services, etc.

Farrell asked members if the Advisory Committees would like to continue holding the annual Joint Advisory Committee meeting. Dennis asked liaisons to check with their advisory committee and of their interest in this. This meeting normally takes place before budgeting and it gives all committees a chance to share their budgetary needs. Dennis thought that since it's a little late to try and schedule a meeting before budget work begins, he suggested having a social meeting sometime before the end of the year.

Dr. Geiss left at 3:40 p.m.

Announcements

The next Joint Conference Committee meeting is scheduled for Tuesday, June 2nd at 1:30 p.m. (At the time I am typing up these minutes, the meeting has been changed to June 8th.) Mike O'Brien is the liaison for the Joint Conference Committee – he will be unavailable on June 2nd. Joe Vitale asked if members of the Joint Conference Committee can have tent cards with names so that everyone would know the names of all members since they only meet four times a year. We will notify Dr. Cusatis of this request.

Adjournment

MOTION: Brandtjen made a motion seconded by Vitale to adjourn the meeting. The motion was voted on and passed 6-0.

Minutes recorded by Kathy Leach

Approved on _____
Date